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9 Teamsters Local 85

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **AT SAN FRANCISCO**

13 TEAMSTERS LOCAL 85,

14 Plaintiff,

15 v.

16 BANANA PEEL PRODUCTIONS,

17 Defendant.

Case No. C-08-01720 SC

**EX PARTE APPLICATION FOR ORDER
SETTING STATUS CONFERENCE AND
PROPOSED ORDER**

Complaint Filed: March 31, 2008
Trial Date: None set

18 This matter was originally calendared for a Case Management Conference on July 11, 2008.
19 After Plaintiff filed its Case Management Conference Statement advising the Court that Plaintiff
20 planned to file for default judgment, the Court by Clerk's Notice dated July 9, 2008, took the Case
21 Management Conference off calendar.

22 On July 10, 2008, Defendant's counsel responded to Plaintiff's letter advising of its intent to
23 file for default. Defendant requested additional time to investigate Plaintiff's claim that it had
24 effected valid service on Defendant. Since that time, the parties have entered into settlement
25 negotiations which remain ongoing, and Plaintiff has postponed filing its request for default.

26 In light of these circumstances, Plaintiff requests the Court to calendar this matter for a status
27 conference to be held in the event the matter is neither settled nor disposed of through default. The
28

1 Court's clerk has advised Plaintiff that November 14, 2008, is a date available for such conference,
2 and Plaintiff requests the matter be calendared for a status conference on that date.

3
4 Dated: August 7, 2008

BEESON, TAYER & BODINE, APC

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6 By: /S/ Andrew H. Baker
ANDREW H. BAKER

7 Attorneys for Teamsters Local 85

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9 Good cause appearing therefore, this matter shall be set for status conference at 10:00 a.m. on
10 November 14, 2008, in Courtroom One.

11
12 **SO ORDERED.**

13 Dated: August 11, 2008

